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E-FILED - 9/24/08

Attorneys for Defendant
CYOPTICS, INC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JDS UNIPHASE

Plaintiff,

v.

SYNTUNE, AB, and CYOPTICS, INC.

Defendants.

Case No. C08-03498 RMW

**STIPULATION AND [REDACTED]
ORDER EXTENDING TIME IN WHICH
DEFENDANT CYOPTICS INC. MAY
RESPOND TO PLAINTIFF'S
COMPLAINT**

Complaint Filed: September 11, 2008
The Honorable Ronald M. Whyte

IT IS HEREBY STIPULATED, by and between Defendant Cyoptics, Inc. and Plaintiff JDS Uniphase, through their respective counsel of record, that the deadline for Cyoptics, Inc. to provide a response of Cyoptics, Inc. to Plaintiff's Complaint, currently due on or before September 19, 2008, shall be extended to September 24, 2008. The response was first due on or before August 20,

2008. This stipulated extension request is made due to a change in counsel by Cyoptics, Inc. This change should not otherwise affect the current schedule for this case.

Dated: September 11, 2008

FISH & RICHARDSON P.C.

By: /s/ Jonathan J. Lamberson
Jonathan J. Lamberson

Attorneys for Defendant
Cyoptics, Inc.

Dated: September 11, 2008

FAEGRE & BENSON

By: /s/ Mary V. Sooter
Mary V. Sooter
Natalie Hanlon-Leh
Attorneys for Plaintiff
JDS Uniphase

ATTESTATION PURSUANT TO GENERAL ORDER 45.X.B.

Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest under penalty of perjury that concurrence in the filing of this document has been obtained by each of the signatories.

Dated: September 11, 2008

FISH & RICHARDSON P.C.

By: /s/ Jonathan J. Lamberson
Jonathan J. Lamberson

Attorneys for Defendant
Cyoptics, Inc.

XXXXXXXXXXXXXXXXXXXX **ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED. The deadline for Cyoptics, Inc. to provide a response to Plaintiff's Complaint, currently due on or before September 19, 2008, shall be extended to September 24, 2008.

Dated: 9/24/08

Ronald M. Whyte

Honorable Ronald M. Whyte
United States District Court